

REMARKS/ARGUMENTS

Claim Objections

Claim 27 has been amended as required to conform to 37 CFR 1.75(c) to correct the listing of the claim upon which claim 27 was dependant.

The applicant's counsel apologizes to the examiner for the misnumbering of claims and is grateful for the examiner's correction of counsel's error.

Specification Objections

The applicant respectfully traverses the Examiner on his grounds for rejection of the drawings under 37 CFR 1.83(a). The drawings do show every feature of the invention as claimed by the applicant. The "means to suspend" are the support ledges affixed to the side walls and are identified as element 9 in the drawings.

Claim Rejections – 35 USC § 112

Claim 5

Claim 5 has been amended to comply with the enablement requirement of 35 USC § 112, paragraph 1.

Claim 9

Claim 9, along with claims 7 and 8, is cancelled and the substance of claims 7-9 has been amended and incorporated into claim 1 as suggested by the examiner. The applicant believes that the amendment to the substance of claim 9 meets the enablement requirement of 35 USC 112, paragraph 1.

Claims 5, 11, and 27

These claims stand currently amended. The applicant believes that the current amendments to these claims obviates the examiner's rejection under 35 USC 112, paragraph 2.

Claim Rejections under 35 USC § 102

Claims 1-3, 11, 12, 16, and 17 stand rejected under 35 USC § 102 as being anticipated by US Patent 764,529 to Ingalis. The applicant respectfully traverses the examiner on the grounds of rejection.

The compartment panel (P') is not removable in Ingalis and even if it were, its removal would not permit viewing of the rear storage area as in the present application. The present application claims "at least one window in said observation panel, through which the contents of said case body may be viewed; a removable compartment panel dividing said case body into a forward display compartment and a rear storage compartment". Ingalis does not claim or enable the viewing of the rear storage area through the glass door (C) therefore does not anticipate the present invention. Claim 1 is currently amended to clarify this distinction and is believed to be in proper form to overcome the rejection under 35 USC § 102 as related to Ingalis.

Claim Rejections under 35 USC § 103

Claims 4 and 5

Claims 4 and 5 are rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US patent 2,255,702 to Gannaway. Claim 4 is currently amended and claim 5 is cancelled. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention permits viewing of the storage contents behind the compartment panel through the observation window at the front of the display case through the front observation panel window. Neither Ingalis nor Gannaway permit viewing of the storage compartment at the rear of the display case from the front of the display case through the front observation panel window. Therefore the combination of Ingalis and Gannaway fail to disclose each and every element of claim 4.

Claim 6

Claim 6 is stands rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 6,722,747 to House. Claim 6 has been amended to depend from claim 4, thus inherits each and every element of the claim 1 and the interceding claims which also depend from claim 1. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention permits viewing of the storage contents behind the compartment panel through the observation window at the front of the display case through the front observation panel window. Neither Ingalis nor House permit viewing of the storage compartment at the rear of the display case from the front of the display case through the front observation panel window. Therefore the combination of Ingalis and House fail to disclose each and every element of claim 6.

Claims 7 and 8

Claims 7 and 8 are rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 1,677,544 to Brainard. Brainard is non-analogous art because it is not a display case, but a drawer. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention permits viewing of the storage contents behind the compartment panel through the observation window at the front of the display case. Neither Ingalis nor Brainard permit viewing of the storage compartment at the rear of the display case from the front of the display case through the front observation panel window. Therefore the combination of Ingalis and Brainard fail to disclose each and every element of claims 7 and 8. Regardless, claims 7 and 8 are herein cancelled and no longer at issue.

Claims 13 and 14

Claims 13 and 14 stand rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 3,717,395 to Spielvogel. Claim 14 has been cancelled. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention as described by claim 13 and the claims from which it depends permits viewing of the storage contents behind the compartment panel through the observation window at the front of the display case. Neither Ingalis nor Spielvogel disclose viewing of the storage compartment at the rear of the display case from the front of the display case through the front observation panel window. Therefore the combination of Ingalis and Spielvogel fail to disclose each and every element of claim 13.

Claim 15

Claim 15 stands rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 4,285,558 to Medford. Claim 15 has been

amended to depend from claim 13. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention as described by claim 15 and the claims from which it depends permits viewing of the storage contents behind the compartment panel through the observation window at the front of the display case. Neither Ingalis nor Medford disclose viewing of the storage compartment at the rear of the display case from the front of the display case through the front observation panel window. Therefore the combination of Ingalis and Medford fail to disclose each and every element of claim 15.

Claims 18-24, 27 and 28

Claims 18-24, 27 and 28 stand rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 2,255,702 to Gannaway and US Patent 1,677,254 to Brainard. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention as described by claim 18 and its dependant claims 19-24, 27 and 28 permits viewing of the storage contents behind the compartment panel through the front observation panel window at the front of the display case. Neither Ingalis, Gannaway nor Brainard disclose viewing of the storage compartment at the rear of the display case from the front of the display case through the display case window. Therefore the combination of Ingalis, Gannaway and Brainard fail to disclose each and every element of claim 18 and its dependant claims 19-24, 27 and 28.

Claims 25 and 26

Claims 25 and 26 stand rejected under 35 USC 103(a) as being unpatentable over US Patent 764,529 to Ingalis in view of US Patent 2,255,702 to Gannaway and in further view of US Patent 1,677,544 to Brainard as applied to claim 18 and further in view of US Patent 6,722,747 to House. The applicant respectfully traverses the examiner on the grounds of rejection.

The present invention as described by claim 18 and its dependant claims 19-24, 27 and 28 permits viewing of the storage contents behind the compartment panel through the front observation panel window at the front of the display case. Neither Ingalis, Gannaway, Brainard nor House disclose viewing of the storage compartment at the rear of the display case from the front of the display case through the display case window. Therefore the combination of Ingalis, Gannaway, Brainard and House fails to disclose each and every element of claim 18 and its dependent claims 25 and 26.

Conclusion

The applicant respectfully requests that the Examiner reconsider the application and amended claims in light of the foregoing response and respectfully submits that the pending claims are in condition for allowance. If, in the Examiner's opinion, a telephonic interview would expedite the favorable prosecution of the present application, the undersigned counsel would welcome the opportunity to discuss any outstanding issues, and to work with the Examiner toward placing the application in consideration for allowance.

Payment of Fees

Payment in the amount of \$525 accompanies this response for the purpose of a three month extension of time per 37 CFR 1.136(a). The USPTO is hereby authorized to credit any refund or overpayment directly to the credit card utilized to pay for said fee.

Respectfully submitted,

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